

Jim Doyle
Governor

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



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PHARMACY EXAMINING BOARD

Room 179A, 1400 East Washington Avenue, Madison

Contact: Tom Ryan (608) 266-8098

October 13, 2004

8:00 A.M.

CLOSED SESSION (Room 291) – Screening panel – Screen informal complaints – Cynthia Benning, John Bohlman, Georgina Forbes and Division of Enforcement staff

9:00 A.M.

OPEN SESSION - CALL TO ORDER – ROLL CALL

Welcome New Appointment(s) and Motion to Invite New Appointment(s) into Closed Session
Approval of Agenda

A. Approval of Minutes of August 11, 2004

Presentation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Mitchel Hipler, R.Ph. – Tomahawk, WI - by Attorney Michael Berndt - Case Advisor – Charlotte Rasmussen

Presentation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against 03 PHM 074 - by Attorney Jeanette Lytle - Case Advisor – Sue Sutter

Presentation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against 03 PHM 31 by Attorney David Hart – Case Advisor – Cynthia Benning

Presentation of Proposed Administrative Warning in the matter concerning 03 PHM 31 by Steve Engelbrecht – Case Advisor – Cindy Benning

B. Administrative Report, Including:

- Board Member Workshop, 8/17 – report
- Department liaison motion - review for approval
- 2005 Board meeting dates – review for approval
- Addendum to the MPJE State Letter of Agreement – consideration of Board approval
- 2005 MPJE Time and Task Schedule for Participating Boards

C. FSMB Workshop Series – Invitations (2) to Participate – Board consideration

D. Supplemental Examinations - Response from NABP

E. Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation, Including:

- Departmental Rule - Wis. Admin. Code §§ RL 4.01, 4.07, 4.08, 4.09 – Board review Wis. Admin. Code § PHAR 7.04 – review for approval to Clearinghouse
- Wis. Admin. Code § DHFS – 157.13 (re-write) – Board review and appointment of liaison – **Appearance (tentative) – Paul Schmidt, DHFS – 9:45 a.m.**

F. DEA Final Rule – Exemption from import/export requirements for personal medical use

G. Variance Request – State of Wisconsin Department of Corrections - Larry P. Edwards, R.Ph. – Waupun, WI

H. Variance Request – Group Health Cooperative, Inc. – Paul Baum, R.Ph. – Madison, WI

I. Variance Request – Peshtigo Pharmacy – R.W. Clement, R.Ph. – Peshtigo, WI

J. Variance Request – St. Lukes Medical Center – Prati Wojtal, R.Ph. – Milwaukee, WI

K. Variance Request – Covenant Pharmacy – Kurt Begalke, R.Ph. – Milwaukee, WI

L. Application Review – Astrup Drug, Inc./Smart-Fill (Out of State Pharmacy) – Tim J. Gallagher – Austin, MN

M. Practice Questions

- Kegler, Brown, Hill & Ritter – Out of State Central Fill – Michele A. Shuster – Columbus, OH – **Appearance – 10:45 a.m.**
- Click Pharmacy – Lorraine Mobley, R.Ph. - Miami, FL
- Covenant Pharmacy

N. Remote Dispensing – Review of Materials and Plan of Action

O. Informational Items

Licensing Liaison Report – Sue Sutter

Screening Report

PSW Pharmacy Forum 11/30

CONVENE TO CLOSED SESSION to deliberate on case(s) following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and 440.205); to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g))

P. Deliberation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Mitchel Hipler, R.Ph. – Tomahawk, WI - Case Advisor – Charlotte Rasmussen

Q. Deliberation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against 03 PHM 074 - Case Advisor – Sue Sutter

R. Deliberation of Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against 03 PHM 31 – Case Advisor – Cynthia Benning

S. Deliberation of Proposed Administrative Warning in the matter concerning 03 PHM 31 by Steve Engelbrecht – Case Advisor – Cindy Benning

T. Womens International Pharmacy – Consideration of petition to modify order

U. Case Closings, Including:

- 03 PHM 080 – Michelle Schram
- 03 PHM 084 – Michelle Schram
- 04 PHM 035 – Tara Albedyll
- 03 PHM 061 – Dawn Kalies
- IPP #331- recommendation for release – Deanna Zychowski

DOE Monitoring

V. William Karwoski, R.Ph. - Request for 3 month stay of suspension with modifications

W. Duane Oestreich, R.Ph. – Request reinstatement of limited license

X. Michael O’Kray, R.Ph. – Request for 3 month stay of suspension with modifications

Y. Andrew Rice, R.Ph. – Request for 3 month stay of suspension with modifications

Z. John Schmitt, R.Ph. – Request for 3 month stay of suspension with modifications

AA. Charlene Willis, R.Ph. - Request for 3 month stay of suspension with modifications

Deliberation of proposed stipulations that may be received in the bureau after mailing of agenda
Consider closing(s) of disciplinary investigation(s) with administrative warning(s) that may be received in the bureau after mailing of the agenda

Deliberation of monitoring reports that may be received in the bureau after mailing of agenda

Division of Enforcement – case status report/case closings

Division of Enforcement – meeting with individual board members

Review of Applications that may be received in the bureau after mailing of agenda

Validation of Examination Scores

Consulting with legal counsel

Examination issues received in the bureau after mailing of the agenda

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on items deliberated or considered in closed session if voting is appropriate

ADJOURNMENT

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC UNLESS OTHERWISE NOTED. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Meetings and hearings may be cancelled without notice. Times listed for meeting items are approximate and depend on the length of discussion and voting. The board may also consider in closed session, stipulations filed after the printing of this notice. Meetings may be confirmed by a telephone call to the listed contact person. Examinations are open only to authorized candidates. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. For a complete copy of the board's agenda, contact the board listed above. Interpreters for the hearing impaired provided on request. Contact the Affirmative Action Officer, (608) 266-2112.